

THE HONORABLE JAMES L. ROBERT

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,
Plaintiff,

vs.

MOTOROLA, INC., et al.,
Defendants.

MOTOROLA MOBILITY, INC., et al.,
Plaintiffs,

vs.

MICROSOFT CORPORATION,
Defendants.

Case No. C10-1823-JLR

**DECLARATION OF CHRISTOPHER
WION IN SUPPORT OF
MICROSOFT'S MOTIONS *IN
LIMINE***

Noted: October 19, 2012

ORAL ARGUMENT REQUESTED

I, Christopher Wion hereby declare as follows:

1. I am an attorney at the law firm of Calfo Harrigan Leyh & Eakes LLP, one of the law firms representing Microsoft Corporation ("Microsoft") in the above-captioned matter, and have personal knowledge of the facts stated herein.

DECLARATION OF CHRISTOPHER WION IN
SUPPORT OF MICROSOFT'S MOTIONS *IN
LIMINE* - 1

LAW OFFICES
CALFO HARRIGAN LEYH & EAKES LLP
999 THIRD AVENUE, SUITE 4400
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1 2. Attached hereto as Exhibit 1 (filed under seal) is a true and correct copy of the
2 transcript from the July 12, 2012 deposition of Kirk W. Dailey, taken in the above-captioned
3 case.

4 3. Attached hereto as Exhibit 2 (filed under seal) true and correct copy of the
5 transcript from the April 4, 2012 deposition of Timothy M. Kowalski, taken in the above-
6 captioned case

7 4. Attached hereto as Exhibit 3 (filed under seal) is a true and correct copy of the
8 July 24, 2012 Opening Expert Report of Richard Schmalensee, submitted in the above-
9 captioned case.

10 5. Attached hereto as Exhibit 4 (filed under seal) is a true and correct copy of
11 August 10, 2012 Rebuttal Expert Report of Charles R. Donohoe, submitted in the above-
12 captioned case.

13 6. Attached hereto as Exhibit 5 (filed under seal) is a true and correct copy of the
14 August 10, 2012 Rebuttal Expert Report of Roger S. Smith, submitted in the above-captioned
15 case.

16 7. Attached hereto as Exhibit 6 (filed under seal) is a true and correct copy of the
17 transcript from the September 5, 2012 deposition of Michael Dansky, taken in the above-
18 captioned case.

19 8. Attached hereto as Exhibit 7 (filed under seal) is a true and correct copy of the
20 January 24, 2005 Patent License Agreement between Google and MPEG LA.

21 9. Attached hereto as Exhibit 8 (filed under seal) is a true and correct copy of the
22 transcript from the July 12, 2012 deposition of Allen Lo, taken in the above-captioned case.

23 10. Attached hereto as Exhibit 9 (filed under seal) is a true and correct copy of the
24 July 24, 2012 Opening Expert Report of Charles R. Donohoe and Exhibit C to the report,
25 submitted in the above-captioned case.

DECLARATION OF CHRISTOPHER WION IN
SUPPORT OF MICROSOFT'S MOTIONS *IN*
LIMINE - 2

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1 11. Attached hereto as Exhibit 10 (filed under seal) is a true and correct copy of the
2 transcript from the August 24, 2012 deposition of Charles R. Donohoe, taken in the above-
3 captioned case.

4 12. Attached hereto as Exhibit 11 (filed under seal) is a true and correct copy of the
5 transcript from the August 22, 2012 deposition of Richard Schmalensee, taken in the above-
6 captioned case.

7 13. Attached hereto as Exhibit 12 (filed under seal) is a true and correct copy of the
8 November 12, 2010 Non Disclosure Agreement between Motorola and Microsoft.

9 14. Attached hereto as Exhibit 13 is a true and correct copy of Microsoft's Third Set
10 of Interrogatories and Eighth Requests for Production, submitted in the above-captioned case.

11 15. Attached hereto as Exhibit 14 (filed under seal) is a true and correct copy of the
12 transcript from the August 21, 2012 deposition of Timothy Drabik, taken in the above-
13 captioned case.

14 16. Attached hereto as Exhibit 15 (filed under seal) is a true and correct copy of the
15 July 30, 2012 corrected Opening Expert Report of Timothy Drabik (original served on July 24,
16 2012), submitted in the above-captioned case.

17 17. Attached hereto as Exhibit 16 (filed under seal) is a true and correct copy of
18 Motorola's Supplemental Response to Microsoft's Interrogatory No. 16.

19 I declare under penalty of perjury under the laws of the United States of America that
20 the foregoing is true and correct.

21 DATED this 4th day of October, 2012 in Seattle, Washington.

22
23 
24 CHRISTOPHER WION
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CERTIFICATE OF SERVICE

I, Linda Bledsoe, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.
2. On the 4th day of October, 2012, I caused the preceding document to be served on counsel of record in the following manner:

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8 DATED this 4th day of October, 2012.

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LINDA BLEDSOE